MINUTES

STATE BUILDING COMMISSION MEETING

EXECUTIVE SUB-COMMITTEE

NOVEMBER 25, 2002

2:00 P.M.

The State Building Commission Executive Sub-committee met this day in House Hearing Room 29, Legislative Plaza, Nashville, Tennessee.

STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS PRESENT

C. Warren Neel, Commissioner, Department of Finance and Administration Steve Adams, State Treasurer Riley Darnell, Secretary of State John Morgan, Comptroller of the Treasury

Commissioner Neel called the meeting to order at 2:05 p.m. and requested action on the following matters as presented by State Architect Michael A. Fitts.

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UNIVERSITY OF TENNESSEE

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL of interest in real property with WAIVER of ADVERTISEMENT as required by TCA 4-15-102 and 12-2-112:

Description:

Hamilton County - 0.156 +/- Acres - Lot 28 E. 8th Street, University of

Tennessee at Chattanooga - Trans. No. 02-10-018 (GM)

Purpose:

Disposal in Fee of surplus property to the adjoining property owner for

construction of a parking garage

Original Cost to State: \$1,000,000 for 1.45 Acres

Date of Original

Conveyance:

May 2000

Grantor Unto State:

Community Foundation of Greater Chattanooga

Estimated Sale

Price:

Pending Appraisal

Grantee:

Campus Development Foundation, Inc. (CDFI)

SSC Report:

11-18-02. Alvin Payne presented the transaction for review. He stated the CDFI would construct a parking garage for students in the UC Foundation housing facilities and that the garage would serve UTC

students only. Staff referred to Sub-committee for discussion.

SC Action:

11-25-02. Charles Garrett advised the transaction was being deferred.

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UNIVERSITY OF TENNESSEE

LEASE AGREEMENT

Review of a request for <u>APPROVAL of the following LEASE AGREEMENT</u> for the rental of real property and <u>WAIVER of ADVERTISEMENT</u> as required by TCA 12-2-115:

Location: <u>S</u>

Shelby County - 7945 Wolfe River Parkway, Memphis, TN - Trans. No.

02-10-906

Purpose:

To provide space to serve as a Clinical Trials Center. The Preventive Medicine Department has the largest number of these trials underway, and the current facility is not large enough to manage the trial activities and will

not handle future clinical trials.

Term:

January 1, 2003 thru December 31, 2007 with 1-five year renewal option

period

Proposed Amount:

20,381Square Feet

Annual Contract Rent

 Incl. Utility & Janitorial Cost:
 \$506,468.00
 @\$24.85/sf

 Total Annual Effective Cost:
 \$506,468.00
 @\$24.85/sf

Current Amount:

7,626 Square Feet

Annual Contract Rent

Incl. Utility & Janitorial Cost: \$145,284.00 @\$19.05/sf
Total Annual Effective Cost: \$145,284.00 @\$19.05/sf

Type:

New Lease - Negotiated

Lessor:

UT Medical Group, Inc.

Comment:

The proposed lease provides for (1) no cancellation during the first year of the lease term and 180 days notice thereafter, (2) the University shall reimburse the Lessor for its pro-rata share of assessed property taxes, and (3) at the beginning of the option period, the Lessor may increase the rental rate by five percent, to \$26.09 per square foot. The proposed lease will colocate the University's Clinical Trial Program that relates to the Health Science Center and the Department of Preventive Medicine.

SSC Report:

11-18-02. Alvin Payne summarized the transaction. Mr. Payne stated the Preventive Medicine Department currently occupies 7,626 square feet at UTMG's 756 Ridge Lake Boulevard in Germantown. He stated the UTMG has constructed a new facility of approximately 105,000 square feet and

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University of Tennessee – continued:

other offices that support clinical trials research with human subjects are located at the new facility. Mr. Payne advised that the University has the same patient base, performs the same functions, and receives grant funds from the federal government or pharmaceutical companies. It was also stated that UTMG is agreeable to pass on any savings to UT on an annual basis. After further review and discussion, Staff referred to Sub-committee for discussion.

SC Action:

11-25-02. Charles Garrett presented the transaction and advised that changes have taken place since staff referral and introduced Alvin Payne to speak to the changes.

Mr. Payne submitted a Proposed Equity Interest Arrangement between the University and UTMG for space located at 7945 Wolfe River Parkway Building, Memphis. The Proposed Equity Interest Arrangement would contain the following provisions:

1. Lease period of five (5) years with four (4) five (5) year option periods with the University's ability to terminate the lease after January 1, 2004 with 180 days prior notice.

2. During each option period, the base rent will increase by five (5) percent

over the rate for the previous five (5) year period.

3. The University will obtain an approximate twenty percent (20%) equity interest (based on the 20,381 square feet leased by the University) in the building if the University elects to exercise all of its options.

4. Equity interest will accrue to the University at such time as the current UTMG debt is paid off. The bonds are due March 1, 2024. The University will have the right to approve any refinancing or additional encumbrances related to the building and property during the term of the lease and will not unreasonably withhold such approval.

5. UTMG elects to sell the property prior to March 1, 2024, then UTMG agrees to proportionately compensate the University for its prorata interest in the property upon the closing of the transaction. The percent of the building occupied by UT multiplied by the sale price reduced by the elapsed time of the Lease (as a percentage) will be the University's prorata interest.

Mr. Payne requested approval of the revised lease terms and lease agreement as presented. Sub-committee approved the request subject to modification of the agreement as presented in the handout document.

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DEPARTMENT OF EDUCATION

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL by EASEMENT of interest in real property with RIGHT-OF-ENTRY and WAIVER of ADVERTISEMENT and APPRAISALS as required by TCA 4-15-102 and 12-2-112.

Description:

Knox County - 1.97 +/- Acres - Tennessee School for the Deaf,

Knoxville, TN - Trans, No. 02-10-011 (BM)

Purpose:

Disposal by Easement, 30' by 2,856' easement, for a greenway trail for

the use of pedestrians and bicyclists

Estimated Sale Price: Grant - Public Purpose

Grantee:

City of Knoxville, TN

SSC Report:

11-18-02. Charles Garrett presented the transaction for review. John

Sharp, agency representative, was recognized. Mr. Sharp stated the campus is in total agreement with the transaction. He advised that remedies have been addressed to separate the public from the campus.

Staff referred to Sub-committee with recommendation.

SC Action:

11-25-02. Sub-committee approved the transaction as recommended.

Final action.

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TENNESSEE WILDLIFE RESOURCE AGENCY

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Obion County - 1,577 +/- Acres - Trans. No. 02-10-008 (CH)

Purpose:

Acquisition in Fee to create a Wetland Mitigation Bank. The subject property has been approved as prior converted wetlands and qualifies for conversion to a wetland mitigation bank. The property adjoins the State's Gooch Wildlife

Management Area.

Source of Funding: TN Department of Transportation - Wetland Mitigation Funds

Estimated Cost:

Pending Appraisal

Estimated Title,

Appraisal and Survey Fees:

Pending Bid

Owner(s):

Neil Wall

Comment:

The Bank will be used for TDOT's wetland credits only.

SSC Report:

11-18-02. Staff referred to Sub-committee with recommendation.

SC Action:

11-25-02. Charles Garrett summarized the transaction. Sub-committee

approved the transaction as recommended. Final action.

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TENNESSEE WILDLIFE RESOURCE AGENCY

LAND ITEM

Review of a request for <u>APPROVAL of a DISPOSAL by EASEMENT</u>, with <u>WAIVER of ADVERTISEMENT and ONE (1) APPRAISAL and APPROVAL of a RIGHT-OF-ENTRY</u>, as required by TCA 4-15-102 and 12-2-112.

Description:

Anderson County - 0.75 +/- Acres - Peach Orchard Road Boat Ramp

to Clinch River - Trans. No. 02-03-013 (GM)

Purpose:

Disposal by Easement to provide access easement to the adjoining

landowners whose access is landlocked by guardrail and pumping

station.

Estimated Sale Price:

Pending Appraisal

Grantee:

Kite, Cooper, and McCracken - Adjoining landowners

SSC Report:

06-17-02. After review and discussion, Staff referred to Sub-committee

for consent agenda for one (1) appraisal only.

SC Action:

07-17-02. Approved the transaction as presented. Final action.

SSC Report:

11-18-02. John Gregory, agency representative, advised that the property

owner has agreed to pay \$10,000 for the easement. Staff referred to

Sub-committee with recommendation.

SC Action:

11-25-02. Charles Garrett summarized the transaction. Sub-committee

approved the transaction as recommended. Final action.

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TENNESSEE WILDLIFE RESOURCE AGENCY

LAND ITEM

Review of a request for <u>APPROVAL of the following DISPOSAL by LEASE</u> of interest in real property with <u>WAIVER of ADVERTISEMENT and APPRAISALS</u> as required by TCA 4-15-102 and 12-2-112.

Description:

Davidson County - 49.0 +/- Acres - Murfreesboro Road, Nashville, TN -

Trans. No. 02-11-001 (CH)

Purpose:

Disposal by lease to provide wetland education and wildlife viewing and

development of an area for recreational purposes (such as rugby and soccer

fields).

Term:

Thirty (30) Years with a 30-year Renewal Period and (6) months Cancellation

Consideration:

\$1.00

Lessee:

Metropolitan Nashville Board of Parks and Recreation

Comment:

Lessee will be responsible for all upkeep and development of the property.

SSC Report:

11-18-02. Staff referred to Sub-committee for discussion.

SC Action:

11-25-02. Charles Garrett summarized the transaction. Sub-committee

approved the transaction as recommended. Final action.

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TENNESSEE WILDLIFE RESOURCE AGENCY

LAND ITEM

Review of a request for APPROVAL of the following EQUAL LAND EXCHANGE of interest in real property with WAIVER of ADVERTISEMENT and APPRAISALS as required by TCA 4-15-102 and 12-2-112:

Description:

Hickman County - 3.4 +/- Acres - Trace Creek Road - Trans. No. 02-

10-005 (CH)

Purpose:

Equal Land Exchange to provide access to Foundation property. Current

access is no longer available for use by the Foundation and the exchange will not negatively impact the remaining Wildlife Management Area

property.

Original Cost to State: \$1,046 per Acre - 794 Acres

Date of Original

Conveyance:

July 2000

Grantor Unto State:

MTSU Foundation

Estimated Sale

Price:

Equal Land Exchange

Grantee:

MTSU Foundation

Comment:

The Foundation has future plans to construct a dormitory, pavilion, and

biology laboratory on its property.

SSC Report:

11-18-02. John Gregory, TWRA, stated the Foundation would pay all

expenses for the transaction and there is no negative impact to State

property. Staff referred to Sub-committee with recommendation.

SC Action:

11-25-02. Charles Garrett summarized the transaction. Sub-committee

approved the transaction as recommendation. Final action.

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TENNESSEE BOARD OF REGENTS

UNIVERSITY OF MEMPHIS, MEMPHIS, TENNESSEE

Jerry Preston informed the Subcommittee that a project for the **Athletic Training Center Addition and Modifications** at the University of Memphis had been brought to the November SBC meeting, and the Commission referred only action required pertaining to the fire incident to the Subcommittee, with authority to act. He reported that the recovery situation involved removing debris, shoring, roofing, electric service and miscellaneous work. He said they would like to ask for approval to cut a separate purchase order with the existing contractor for the Athletic Training Center project for this work. The Subcommittee approved Mr. Preston's request.

Estimated Project Cost: \$8,825,000.00

SBC Project No. 166/007-01-97

EAST TENNESSEE STATE UNIVERSITY, JOHNSON CITY, TENNESSEE

Jerry Preston informed the Subcommittee that they had applied for and received a grant in support of a project to **Renovate Existing Building #6 for Forensics Pathology**. He said the item was being brought forward for discussion to see if this Phase 1 work could be recommended to proceed at the December SBC meeting.

Comptroller Morgan said the reason that this project, as well as the Nursing Building at TTU, were being discussed was because those federal funds are not going to always be available. He said the forensic responsibility is really more about the Department of Health. He said if this project goes through THEC's priority process, it is unlikely it would ever make the "list". Mr Preston stated that was because there is no pure academic space involved. Comptroller Morgan said they could have the ability to use the federal dollars to go forward on the planning even though the project was not part of the budget or any budget. Larry Kirk commented that this was really in a federally-leased building. Comptroller Morgan asked if the point of this project was to provide autopsies and not academics, and was told that was the case. Mr. Preston said they would propose to do the planning and make sure costs were kept under control and then come back to the SBC to identify the proper cost for additional phases. Commissioner Neel questioned what would happen if the project didn't receive additional funding. Mr. Preston replied that both of these projects would be at a milestone point; that is, they can both wait for a period of time without losing federal funding. He said no academic space would be involved in either phase proposed and that the TTU project would remain on TBR's Capital Outlay priority list. Mr. Preston added that they have to make quarterly reports to the federal government to show "good faith". He added that he thought they would be in a holding pattern for 2-3 years and then they would have to start answering the federal government. Commissioner Neel commented that the federal funding is only for the preplanning.

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Tennessee Board of Regents - continued:

Treasurer Adams asked who was pursuing capturing the federal funding and who was performing those services now. Mr. Preston responded that Tennessee Board of Regents was performing them and the situation needed to be improved. He said he thought the College of Medicine was pursuing the grants and that there was dialogue between the College of Medicine and Commissioner of Health. Treasurer Adams asked why this was not going through the same process as the facility in Nashville. Mr. Kirk provided information on the Nashville morgue. He said the program need for the East Tennessee facility is one half to one third the capacity of the Nashville facility. Mr. Preston commented that they would be renovating an historic building and construction would be three years down the road, both of which could drive up costs. Commissioner Neel asked what was the backload of bodies, and Mr. Preston responded that he did not think there was any doubt that the current capacity needed to be doubled.

Comptroller Morgan asked if most of the federal money would be spent on something useful. Mr. Preston said Phase 1 would include weatherproofing, some demolition, utilities brought to the building, and preplanning. He added that the building was currently vacant. Treasurer Adams said he thought they ought to do that but it seems like they are going to spend more money than the Nashville facility and they need to decide exactly what it is they need. Treasurer Adams said he had not heard anything from the community that this was needed. He said if this gets funded it will most likely come through the Department of Health. He said they need to get in agreement with the size, amount and what is needed. Mr. Preston said they had gotten all the current information from the same consultant who was used on the Nashville facility. Mr. Preston said they would only lose the preplanning work. This phase would include other improvements to the project, such as demolition and utility extensions.

Secretary Darnell moved that the Subcommittee recommend to the full Commission, subject to the Department of Health making a recommendation as to the size, etc., approval to preplan the project and authorization to proceed with Phase 1 for the renovation of the VA#6 Forensic Pathology Lab. The motion passed without objection.

Estimated Project Cost: \$8,500,000.00

SBC Project No. 166/005-11-02

TENNESSEE TECHNOLOGICAL UNIVERSITY, COOKEVILLE, TENNESSEE

President Bell was recognized to discuss the **Nursing and Health Sciences Building** at Tennessee Tech University. He said the gifts are in hand for the Phase 1 of the project. He added that Senators Frist and Thompson have also put in an appropriation at the federal government level. He said they have an active fund-raising program going on. Secretary Darnell asked what they would get for the \$2.7 million. Mr. Preston said they would demolish Smith Quad and the old nursing buildings, add a chiller to the central plant and

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Tennessee Board of Regents - continued:

pre-design the project. Secretary Darnell asked President Bell if no State funds were approved, would they continue their campaign for gifts and could they fund the entire project. President Bell stated that he believed they could. Secretary Darnell said if they could qualify for a \$4 million grant, then they would build a \$4 million building. He then moved that the Subcommittee recommend to the full Commission approval to preplan a project and authorization to proceed with Phase 1 for the Nursing and Health Services Building. The motion passed without objection.

Estimated Project Cost: \$16,995,000.00

SBC Project No. 166/011-03-02

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TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Montgomery County - 0.44 +/- Acres with Improvements - 255 Marion

Street, Clarksville, TN - Trans. No. 02-10-017 (LW)

Purpose:

Acquisition in Fee of property within the APSU Master Plan acquisition area

to be used for family housing.

Source of Funding: TN State School Bond Authority (TSSBA)

Estimated Cost:

Pending Appraisal

Estimated Title,

Appraisal and Survey Fees:

Pending Bid

Owner(s):

Tom Morgan and James Rye

SSC Report:

11-18-02. Referred to Sub-committee with recommendation.

SC Action:

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TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT and APPROVAL to DEMOLISH the Existing Structure, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Rutherford County - 0.17 +/- Acres with Improvements - 706 Crestland

Avenue, Murfreesboro, TN - Trans. No. 02-10-010 (LW)

Purpose:

Acquisition in Fee of property within the MTSU Master Plan acquisition area. The property will be used for parking purposes after demolition of the existing

structure. Demolition is subject to approval of the TN Historical Commission.

Source of Funding: TN State School Bond Authority (TSSBA)

Estimated Cost:

Pending Appraisal

Estimated Title,

Appraisal and Survey Fees:

Pending Bid

Owner(s):

Ted Self

SSC Report:

11-18-02. Referred to Sub-committee with recommendation.

SC Action:

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TENNESEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT with WAIVER of APPRAISAL, required interest in the following real property:

Description:

Shelby County -38.704 +/- Acres with Improvements - Former Naval

Hospital, Millington, TN - Trans. No. 02-10-020 (BM)

Purpose:

Acquisition in Fee to provide a permanent off-campus institutional site for academic programs offered by the University of Memphis, Southwest Tennessee Community College, and the Tennessee Technology Center at

Memphis.

Source of Funding: University of Memphis Foundation

Estimated Cost:

Grant

\$2.9 Million Renovation - First Floor & Infrastructure

Estimated Title

And Survey Fees:

Pending Bid

Owner(s):

U. S. Department of Education

Comment:

Improvements consist of 249,915 square feet of space, including a 6-story former hospital facility. The UofM received approval of the application to acquire the property on July 2, 2002 from the U.S. Department of Education. On September 20, 2002, the TBR Board approved the Millington property as

a permanent off-campus institutional site. The UofM Foundation has

committed \$2.9 million for initial renovation required to implement the naval

hospital property to a teaching facility

SSC Report:

11-18-02. Jerry Preston, TBR, summarized the transaction. Mr. Preston stated that on July 2, 2002, the University received approval from the U.S.

Department of Education of their application to acquire the Millington

property and were eligible to receive the property for educational purposes at 100% discount. Further, on September 20, 2002, the TBR Board approved the property as a permanent off-campus institutional site, and on November 14, 2002, the THEC approved of the property as a TBR permanent offcampus teaching site. He stated that no new formula dollars would be

required. Staff referred to Sub-committee for discussion.

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Tennessee Board of Regents - continued:

SC Action:

11-25-02. Jerry Preston introduced Dr. Shirley Rains, President of the University of Memphis. Dr. Rains expressed her excitement at the opportunity to acquire the property. She stated it has been a teaching site since 1970. She stated that \$2.9 million dollars of private funds have been raised for renovation of the first floor, infrastructure, and HVAC upgrades.

Jerry Preston summarized the transaction and discussion ensued. Subcommittee approved the transaction as presented. Final action. Minutes of Meeting of State Building Commission Executive Subcommittee November 25, 2002 Page 17 of 40

SECRETARY OF STATE

LEASE AGREEMENT

Review of a request for <u>APPROVAL of the following LEASE AGREEMENT</u> for the rental of real property and <u>WAIVER of ADVERTISEMENT</u> as required by TCA 12-2-115:

Location:

Anderson County - 130 Main Street, Clinton, TN - Trans. No. 02-10-907 (EN)

Purpose:

To provide office and related space for the Clinch-Powell Regional Library

operations.

Term:

March 1, 2003 thru February 28, 2013 (10 yrs.)

Proposed Amount:

4.322 Square Feet

Avg. Annual Contract Rent

 Incl. Utility Cost:
 \$30,209.28
 @\$6.99/sf

 Est. Annual Janitorial Cost:
 \$4,754.20
 @\$1.10/sf

 Avg. Total Ann. Effective Cost:
 \$34,963.48
 @\$8.09/sf

Current Amount:

3,569 Square Feet

 Annual Contract Rent:
 \$25,200.00
 @\$7.06/sf

 Est. Annual Utility Cost:
 \$4,996.60
 @\$1.40/sf

 Est. Annual Janitorial Cost:
 \$3,925.90
 @\$1.10/sf

 Total Annual Effective Cost:
 \$34,122.50
 @\$9.56/sf

Type:

New Lease - Negotiated

FRF Rate:

\$10.25 Per Square Foot

Lessor:

William H. & Bobbie P. Arowood

SSC Report:

11-19-02 Discussion centered around whether or not the space needs of a Regional Library were unique enough to waive advertisement. Secretary of State representative, Mark Wood, stated that Regional Library needs have changed over the years and that the current lessor is in California and is non-responsive to requests for repairs. He stated that the Regional Director approached the Secretary of State regarding moving to the proposed location that also would provide additional space as needed. After further discussion,

Staff referred the request to Sub-committee with recommendation.

SC Action:

11-25-02. Charles Garrett summarized the transaction. Secretary Darnell spoke to the transaction and stated local staff contacted the proposed Lessor without following the normal process. He assured Sub-committee this would not happen

again. Sub-committee approved the request as presented. Final action.

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DEPARTMENT OF CHILDREN'S SERVICES

LEASE AGREEMENT

Review of a request for <u>APPROVAL of the following LEASE AGREEMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

Bradley County - 175 Industrial Court S.W., Cleveland, TN - Trans. No.

02-05-923 (JS)

Purpose:

To provide a residential facility for Adolescent Boys

Term:

July 1, 2003 thru June 30, 2013 (10 yrs.)

Proposed Amount:

5,500 Square Feet

 Annual Contract Rent:
 \$85,000.08
 @\$15.45/sf

 Est. Annual Utility Cost:
 \$7,700.00
 @\$ 1.40/sf

 Total Annual Effective Cost:
 \$92,700.08
 @\$16.85/sf

Current Amount:

5,500 Square Feet

 Annual Contract Rent:
 \$56,000.04
 @\$10.18/sf

 Est. Annual Utility Cost:
 \$7,700.00
 @\$ 1.40/sf

 Total Annual Effective Cost:
 \$63,700.04
 @\$11.58/sf

Type:

New Lease – Advertisement – Lowest of (2) Proposals from (1) Proposer

Lessor:

Hearthwood Properties #2, LLC

Comment:

The proposed lease provides for (1) the Lessor to construct a 5,500 square foot house, including interior improvements to include living, office, and classroom space at no additional cost to the State, (2) no cancellation during the first 5-years of the lease term except cause and/or funding and 180 days

notice thereafter, and (3) a Purchase Option.

SSC Report:

11-19-02. Referred to Sub-committee with recommendation.

SC Action:

11-25-02. Charles Garrett summarized the transaction. He stated the State was notified that the property is going to be sold but that current Lessor would work with the State until the new group home was ready. Secretary Darnell asked if the neighborhood had been surveyed. Albert Dawson, agency representative, stated the property is for sale and a lot of development has taken place in the area in the last five (5) years. He stated that the required zoning hearings were held and no one contested the change. Sub-committee approved the transaction as presented. Final action.

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DEPARTMENT OF FINANCE AND ADMINISTRATION

DISCUSSION OF BIDS

1. Foster Avenue Cafeteria

(Demolition)

SBC Project No. 529/021-02-02

Bid date:

7 November 02

SBC Action: Referred to Subcommittee, with authority to act

SC Action: No action required

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STATE BUILDING COMMISSION

MINUTES OF MEETING OF STATE BUILDING COMMISSION

1) Approved the Minutes of the State Building Commission Executive Sub-committee meeting held on October 21, 2002.

Following approval of the Consent Agenda, the meeting adjourned at 3:15 p.m.

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CONSENT AGENDA

Approved the following real property transactions that have been reviewed and recommended for approval by Sub-committee staff:

A. Agency:

University of Tennessee - Weakley County

Trans.:

Acquisition by Gift

Provision:

Waiver of Appraisal

B. · Agency:

Department of Transportation - Marion County

Trans.:

Disposal in Fee

Provision:

Without Advertisement

C. Agency:

TN Wildlife Resources Agency - Cheatham County

Trans.: Provision:

Disposal by Easement with Right-of-Entry

Waiver of Advertisement & Appraisals

D. Agency: Trans.:

TN Wildlife Resources Agency - Lauderdale County

Lease Amendment

E. Agency:

TN Board of Regents - Shelby County - STCC

Trans.: Lease Amendment

F. Agency:

TN Board of Regents - Rutherford County - MTSU

Trans.: Acquisition in Fee – 129 City View Drive

G. Agency: Trans.:

TN Board of Regents - Rutherford County - MTSU

Acquisition in Fee - 125 City View Drive

H. Agency: Trans.: TN Board of Regents - Rutherford County - MTSU

Acquisition in Fee - 213 City View Drive

I. Agency: Trans.:

TN Board of Regents – Rutherford County - MTSU

Acquisition in Fee – 211 City View Drive

J. Agency: Trans.: TN Board of Regents – Rutherford County - MTSU

Acquisition in Fee - 303 Yearwood Avenue

K. Agency: Trans.:

<u> Labor & Workforce Development – Davidson County</u>

Lease Amendment

L. Agency:

Finance & Administration - Lauderdale County

Trans.:

Lease Agreement for Human Services & Children's Services

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<u>Department of Human Services – Williamson County</u> M. Agency: Lease Agreement Trans.: <u>Department of Human Services – Fentress County</u> N. Agency: Lease Amendment Trans.: **Department of Human Services - Sevier County** Ο. Agency: Lease Agreement Trans.: **Department of Children's Services – Washington County** Ρ. Agency: Lease Agreement for Northeast Community Services Agency Trans.: **Department of Children's Services – Washington County** Q. Agency: Lease Agreement Trans.:

Α.

UNIVERSITY OF TENNESSEE

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, SURVEY and ACCEPT as a GIFT, with WAIVER of APPRAISAL, required interest in the following real property:

Description:

Weakley County - 1.89 +/- Acres - Hawks Road/Pat Summitt Drive -

University of Tennessee at Martin - Trans. No. 02-10-019 (GM)

Purpose:

Acquire as a Gift of a roadway bounded by University property, which only

serves the transportation needs to the University and its constituents.

Source of Funding: Gift

Estimated Cost:

Gift

Estimated Title

And Survey Fees:

Pending Bid

Owner(s):

City of Martin

Comment:

The subject property is Hawks Road/Pat Summitt Drive between Highway

45E and Mt. Pelia Road.

SSC Rport:

11-18-02. Alvin Payne summarized the transaction. He stated the subject road dead ends into UT Martin property and is internal to the campus. He stated UTM is the only user of the road and maintenance costs are estimated

at \$2,000 per year. Staff referred to Sub-committee for consent agenda.

SC Action:

В.

DEPARTMENT OF TRANSPORTATION

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL of interest in real property with WITHOUT ADVERTISEMENT as required by TCA 4-15-102 and 12-2-112:

Description:

Marion County - 4.341 +/- Acres - State Road 28, Jasper, TN - Trans.

No. 02-09-009 (LW)

Purpose:

Disposal in Fee of surplus right-of-way to an adjoining landowner for

future development

Original Cost to State: \$101,375.00 - 20.273 +/- Acres

Date of Original

Conveyance:

January 1979

Grantor Unto State:

John Acuff, Sr.

Estimated Sale

Price:

Pending Appraisal

Grantee:

Scenic Investors

SSC Report:

11-18-02. Charles Garrett presented the transaction for review. John Boynton, agency representative, was recognized. Mr. Boynton stated the Department has no plans to continue extension of the road and has He advised there are (2) adjoining declared the property surplus. property owners. He stated the second property owner has stated, by letter, no interest in purchasing the property. Staff referred to Sub-

committee for consent agenda.

SC Action:

C.

TENNESSEE WILDLIFE RESOURCES AGENCY

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL by EASEMENT, with RIGHT-OF-ENTRY, of interest in real property with WAIVER of ADVERTISEMENT and APPRAISALS as required by TCA 4-15-102 and 12-2-112.

Description:

Cheatham County - 2.0 +/- Acres - Cheatham County Wildlife

Management Area - Trans No. 02-10-009 (CH)

Purpose:

Disposal by Easement of a 20' wide easement for extension of a 6"

waterline along Hwy. 250

Estimated Sale Price: Grant - Public Benefit

Grantee:

River Road Utility

Comment:

Part of a 0.5 Acre land exchange approved November 22, 1999.

SSC Report:

11-18-02. Referred to Sub-committee for consent agenda.

SC Action:

D.

TENNESSEE WILDLIFE RESOURCES AGENCY

LEASE AMENDMENT

Review of a request for <u>APPROVAL of the following LEASE AMENDMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

<u>Lauderdale County - 5,480 +/- Acres - Anderson Tully Wildlife</u>

Management Area - Trans. No. 02-10-912 (CH)

Purpose:

Lease Amendment to reduce leased acreage from 10,806 to 5,480 Acres.

Term:

September 1, 2002 thru August 31, 2006 (4 yrs.)

Proposed Amount:

5,480 Acres:

\$12,825.00 @ \$2.34/acre

Current Amount:

10,806 Acres

\$28,500.00 @ \$2.64/acre

Type:

Amendment No.1

Lessor:

The Nature Conservancy

SSC Report:

11-18-02. Referred to Sub-committee for consent agenda.

SC Action:

E.

TENNESSEE BOARD OF REGENTS

LEASE AMENDMENT

Review of a request for <u>APPROVAL of the following LEASE AMENDMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

Shelby County - 5396 Mendenhall Mall, Memphis, TN - Trans. No. 02-

11-912

Purpose:

To provide additional office and related space for the Southwest Tennessee

Community College (STCC). STCC received federal grant funds from the U.S. Department of Education for establishment of an Economic Opportunity Center

(EOC).

Term:

December 1, 2002 thru July 31, 2003 (8 mos.)

Proposed Amount:

40,474 Square Feet

Annual Contract Rent: \$512,882.24 @\$12.67/sf Est. Ann. Utility & Janitorial Cost: \$101,187.76 @\$ 2.50/sf

Est. Common Area Maintenance,

Insurance & Property Tax Cost: \$ 20,237.00 @\$ 0.50/sf
Total Annual Effective Cost: \$634,307.00 @\$15.67/sf

Current Amount:

38,416 Square Feet

Annual Contract Rent: \$497,883.20 @\$12.96/sf Est. Ann. Utility & Janitorial Cost: \$96,040.00 @\$ 2.50/sf

Est. Common Area Maintenance,

Insurance & Property Tax Cost: \$ 19,208.00 @\$ 0.50/sf
Total Annual Effective Cost: \$613,131.20 @\$15.96/sf

Type:

Amendment No. 4 – 2,058 Additional Square Feet

Lessor:

Belz Investco, L.P.

Comment:

The EOC will provide services to educationally and economically disadvantaged

college students and potential college students. All academic and degree programs in the greater Memphis area will be supported through the EOC

program.

SSC Report:

11-18-02. Jerry Preston, TBR, advised that the lease will be advertised when it expires, that a project for a STCC campus is number one on the Capital Outlay

list, and the Master Plan identifies an area in southeast Memphis for the project.

Staff referred to Sub-committee for consent agenda.

SC Action:

F.

TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Rutherford County - 0.53 +/- Acres with Improvements - 129 City View

Drive, Murfreesboro, TN - Trans. No. 02-10-012 (LW)

Purpose:

Acquisition in Fee of property within the MTSU Master Plan acquisition area

to be used for student housing.

Source of Funding: TN State School Bond Authority (TSSBA)

Estimated Cost:

Pending Appraisal

Estimated Title,

Appraisal and

Survey Fees:

Pending Bid

Owner(s):

Gary Smith

SSC Report:

11-18-02. Referred to Sub-committee for consent agenda.

SC Action:

G.

TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Rutherford County - 0.49 +/- Acres with Improvements - 125 City View

Drive, Murfreesboro, TN - Trans. No. 02-10-013 (LW)

Purpose:

Acquisition in Fee of property within the MTSU Master Plan acquisition area

to be used for student housing.

Source of Funding: TN State School Bond Authority (TSSBA)

Estimated Cost:

Pending Appraisal

Estimated Title, Appraisal and

Survey Fees:

Pending Bid

Owner(s):

Elizabeth Jernigan

SSC Report:

11-18-02. Referred to Sub-committee for consent agenda.

SC Action:

Η.

TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Rutherford County - 0.18 +/- Acres with Improvements - 213 City View

Drive, Murfreesboro, TN - Trans. No. 02-10-014 (LW)

Purpose:

Acquisition in Fee of property within the MTSU Master Plan acquisition area

to be used for student housing.

Source of Funding: TN State School Bond Authority (TSSBA)

Estimated Cost:

Pending Appraisal

Estimated Title,

Appraisal and

Survey Fees:

Pending Bid

Owner(s):

David Jones

SSC Report:

11-18-02. Referred to Sub-committee for consent agenda.

SC Action:

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TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Rutherford County - 0.29 +/- Acres with Improvements - 211 City View

Drive, Murfreesboro, TN - Trans. No. 02-10-015 (LW)

Purpose:

Acquisition in Fee of property within the MTSU Master Plan acquisition area

to be used for student housing.

Source of Funding: TN State School Bond Authority (TSSBA)

Estimated Cost:

Pending Appraisal

Estimated Title,

Appraisal and

Survey Fees:

Pending Bid

Owner(s):

David Jones

SSC Report:

11-18-02. Referred to Sub-committee for consent agenda.

SC Action:

11-25-02. Sub-committee approved as presented. Final action.

Ι.

J.

TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description:

Rutherford County - 1.60 +/- Acres with Improvements - 303 Yearwood

Avenue, Murfreesboro, TN - Trans. No. 02-10-016 (LW)

Purpose:

Acquisition in Fee of property within the MTSU Master Plan acquisition area

to be used for student housing.

Source of Funding: TN State School Bond Authority (TSSBA)

Estimated Cost:

Pending Appraisal

Estimated Title,

Appraisal and

Survey Fees:

Pending Bid

Owner(s):

Ron Coleman

SSC Report:

11-18-02. Referred to Sub-committee for consent agenda.

SC Action:

K.

DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT

LEASE AMENDMENT

Review of a request for <u>APPROVAL of the following LEASE AMENDMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

<u>Davidson County - 2262 Metro Center Boulevard, Nashville, TN - Trans.</u>

No. 02-09-902 (JS)

Purpose:

To provide office and related space for Unemployment Insurance Call Center.

Term:

January 1, 2003 thru August 31, 2005 (2 yrs., 8 mos.)

Proposed Amount:

20,540 Square Feet

Annual Contract Rent

Incl. Utility & Janitorial Cost:

\$236,208.00

@\$11.50/sf

Est. Tenant Alteration Cost: Total Annual Effective Cost:

\$ 11,625.00 \$247,833.00 @\$ 0.57/sf @\$12.07/sf

Current Amount:

14,138 Square Feet

Annual Contract Rent

Incl. Utility & Janitorial Cost:

\$162,588.00

@\$11.50/sf

Total Annual Effective Cost:

\$162,588.00

@\$11.50/sf

Type:

Amendment No. 2 - 6,402 Additional Square Feet

FRF Rate:

\$18.00 Per Square Foot

Lessor:

Amulet Associates, LP

Comment:

The proposed amendment will allow the Department to incorporate all of Middle Tennessee into the Call Center and add Internet claim services. Further, the expansion will enable the Department to vacate 4,900 square feet of lease space by December 31,2002. The amendment further provides that the Lessor will make improvements to the amended space within 30 days following Lessor's receipt of a fully executed Amendment No. 2, and the State shall reimburse the Lessor \$31,000.00 for said improvements. The cost of the expansion is federally funded. All other terms and conditions of the lease remain the same.

SSC Report:

11-19-02. Referred to Sub-committee for consent agenda.

SC Action:

DEPARTMENT OF FINANCE & ADMINISTRATION

'

LEASE AGREEMENT

Review of a request for <u>APPROVAL of the following LEASE AGREEMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

<u>Lauderdale County - 421 South Washington Street, Ripley, TN - Trans.</u>

No. 01-10-920 (TH)

Purpose:

To provide office and related space for county operations of the Departments

of Human Services and Children's Services

Term:

May 1, 2003 thru April 30, 2013 (10 yrs.)

Proposed Amount:

11,414 Square Feet

 Annual Contract Rent:
 \$46,200.00
 @\$4.05/sf

 Est. Annual Utility Cost:
 \$15,979.60
 @\$1.40/sf

 Est. Annual Janitorial Cost:
 \$12,555.40
 @\$1.10/sf

 Total Annual Effective Cost:
 \$74,735.00
 @\$6.55/sf

Current Amount:

6,174 Square Feet

 Annual Contract Rent:
 \$39,600.00
 @\$6.41/sf

 Est. Annual Utility Cost:
 \$ 8,643.60
 @\$1.40/sf

 Est. Annual Janitorial Cost:
 \$ 6,791.40
 @\$1.10/sf

 Total Annual Effective Cost:
 \$55,035.00
 @\$8.91/sf

Type:

New Lease - Advertisement - Lowest of (8) Proposals from (4) Proposers

FRF Rate:

\$10.25 Per Square Foot

Lessor:

Allied Properties, LP - Current Lessor

Comment:

The proposed lease provides for (1) Lessor to construct an additional 5,240 rentable square feet to the current leased facility and make interior improvements and repairs to the existing space at no additional cost to the State and (2) no cancellation during the first 5-years of the lease term except

for cause and/or funding and 180 days notice thereafter.

SSC Report:

11-19-02. Referred to Sub-committee for consent agenda.

SC Action:

M.

DEPARTMENT OF HUMAN SERVICES

LEASE AGREEMENT

Review of a request for <u>APPROVAL of the following LEASE AGREEMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

Williamson County - 1405-A Brookwood Avenue, Franklin, TN - Trans.

No. 01-08-913 (RS)

Purpose:

To provide office, shop, and related space for continued operations of the TN

Vocational Training Center.

Term:

December 1, 2002 thru November 30, 2005 (3 yrs.)

Proposed Amount:

10,601 Square Feet

 Avg. Annual Contract Rent:
 \$60,955.75
 @\$5.75/sf

 Est. Annual Utility Cost:
 \$11,661.10
 @\$1.10/sf

 Avg.Total Ann. Effective Cost:
 \$72,616.85
 @\$6.85/sf

Current Amount:

10,601 Square Feet

Annual Contract Rent: \$58,305.50 @\$5.50/sf Est. Annual Utility Cost: \$11,661.10 @\$1.10/sf Total Annual Effective Cost: \$69,966.60 @\$6.60/sf

Type:

New Lease - Negotiated - Intergovernmental

FRF Rate:

\$13.50 Per Square Foot

Lessor:

Williamson County

Comment:

The proposed lease provides for no cancellation during the lease term except

for cause and/or funding. Janitorial services performed by clients of the

Center. The Lessor to provide water and sewer utilities.

SSC Report:

11-19-02. Referred to Sub-committee for consent agenda.

SC Action:

N.

DEPARTMENT OF HUMAN SERVICES

LEASE AMENDMENT

Review of a request for <u>APPROVAL of the following LEASE AMENDMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

Fentress County - 240 Colonial Circle, Jamestown, TN - Trans. No. 92-

02-920 (JS)

Purpose:

To provide office and related space for county operations

Term:

July 1, 2003 thru June 30, 2008 (5 yrs.)

Proposed Amount:

5,485 Square Feet

 Annual Contract Rent:
 \$43,880.04
 @\$ 8.00/sf

 Est. Annual Utility Cost:
 \$7,679.00
 @\$ 1.40/sf

 Est. Annual Janitorial Cost:
 \$6,033.50
 @\$ 1.10/sf

 Total Annual Effective Cost:
 \$57,592.54
 @\$10.50/sf

Current Amount:

5,000 Square Feet

 Annual Contract Rent:
 \$39,999.96
 @\$ 8.00/sf

 Est. Annual Utility Cost:
 \$7,000.00
 @\$ 1.40/sf

 Est. Annual Janitorial Cost:
 \$5,500.00
 @\$ 1.10/sf

 Total Annual Effective Cost:
 \$52,499.96
 @\$10.50/sf

Type:

Intergovernmental - Amendment No. 1 – 485 Additional Square Feet

FRF Rate:

\$10.25 Per Square Foot

Lessor:

Fentress County

SSC Report:

11-19-02. Referred to Sub-committee for consent agenda subject to

Commissioner of Finance & Administration approval of the additional space.

SC Action:

O.

DEPARTMENT OF HUMAN SERVICES

LEASE AGREEMENT

Review of a request for <u>APPROVAL of the following LEASE AGREEMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

<u>Sevier County - 815 Dolly Parton Parkway, Sevierville, TN - Trans. No.</u>

02-04-922 (JS)

Purpose:

To provide office and related space for county operations

Term:

November 1, 2002 thru October 31, 2012 (10 yrs.)

Proposed Amount:

8,500 Square Feet

 Annual Contract Rent:
 \$ 80,000.04
 @\$ 9.41/sf

 Est. Annual Utility Cost:
 \$ 11,900.00
 @\$ 1.40/sf

 Est. Annual Janitorial Cost:
 \$ 9,350.00
 @\$ 1.10/sf

 Total Annual Effective Cost:
 \$101,250.04
 @\$11.91/sf

Current Amount:

4,637 Square Feet

 Annual Contract Rent:
 \$38,208.88
 @\$ 8.24/sf

 Est. Annual Utility Cost:
 \$6,491.80
 @\$ 1.40/sf

 Est. Annual Janitorial Cost:
 \$5,100.70
 @\$ 1.10/sf

 Total Annual Effective Cost:
 \$49,801.38
 @\$10.74/sf

Type:

New Lease - Advertisement - Lowest Proposal from (2) Proposers

FRF Rate:

\$10.25 Per Square Foot

Lessor:

East Gate Properties Partnership - Current Lessor

Comment:

The proposed lease provides for no cancellation during the first 5-years of

the lease term and 180 days notice thereafter.

SSC Report:

11-19-02. Referred to Sub-committee for consent agenda.

SC Action:

Р.

DEPARTMENT OF CHILDREN'S SERVICES

LEASE AGREEMENT

Review of a request for <u>APPROVAL of the following LEASE AGREEMENT</u> for the rental of real property as required by TCA 12-2-115:

Location:

Washington County - 2513 Plymouth Road, Johnson City, TN - Trans.

No. 02-07-906 (JS)

Purpose:

To provide office and related space for consolidation of the Northeast

Community Services Agency staff in Washington and Sullivan Counties

Term:

July 1, 2003 thru June 30, 2013 (10 yrs.)

Proposed Amount:

15,000 Square Feet

 Annual Contract Rent:
 \$ 97,500.00
 @\$ 6.50/sf

 Est. Annual Utility Cost:
 \$ 21,000.00
 @\$ 1.40/sf

 Est. Annual Janitorial Cost:
 \$ 16,500.00
 @\$ 1.10/sf

 Total Annual Effective Cost:
 \$135,000.00
 @\$ 9.00/sf

Current Amount:

8,583 Square Feet (2

Location)

Avg. Annual Contract Rent

Inc. Utility & Janitorial Cost: \$94,734.45 @\$11.04/sf Avg. Total Ann. Effective Cost: \$94,734.45 @\$11.04/sf

Type:

New Lease - Advertisement - Lowest of (12) Proposals from (8) Proposers

FRF Rate:

\$13.50 Per Square Foot

Lessor:

Peter A. and Ben A. Paduch

Comment:

The proposed lease provides for (1) the Lessor to construct a 15,000 rentable square foot office building, including interior tenant improvements at no additional cost to the State and (2) no cancellation during the first 5-years of the lease term except for cause and/or funding and 180 days notice

thereafter.

SSC Report:

11-19-02. Referred to Sub-committee for consent agenda.

SC Action:

Q.

DEPARTMENT OF CHILDREN'S SERVICES

LEASE AGREEMENT

Review of a request for APPROVAL of the following LEASE AGREEMENT for the rental of real property as required by TCA 12-2-115:

Location:

Washington County - 2517 Plymouth Road, Johnson City, TN - Trans. No.

02-01-919 (JS)

Purpose:

To provide office and related space for county operations. The proposed lease

will allow the Department to consolidate its operations from five locations to one

location in Johnson City.

Term:

November 1, 2003 thru October 31, 2013 (10 Yrs.)

Proposed Amount:

24,266 Square Feet

@\$ 7.60/sf **Annual Contract Rent:** \$184,421.04 Est. Annual Utility Cost: \$ 33,972.00 @\$ 1.40/sf Est. Annual Janitorial Cost: \$ 26,692.00 @\$ 1.10/sf Total Annual Effective Cost: \$245,085.04 @\$10.10/sf

Current Amount:

20,621 Square Feet (5 Locations)

@\$ 8.96/sf Avg. Annual Contract Rent: \$184,817.09 Est. Annual Utility Cost: \$ 28,869.40 @\$ 1.40/sf Est. Annual Janitorial Cost: @\$ 1,10/sf \$ 22,683.10 Total Annual Effective Cost: \$236,369.59 @\$11.46/sf

Type:

New Lease - Advertisement - Lowest Proposal of (10) Proposals from (7)

Proposers

FRF Rate:

\$13.50 Per Square Foot

Lessor:

Peter A. & Ben A. Paduch

Comment:

The proposed lease provides for (1) Lessor to construct a 24,266 net rentable square foot office building, including interior tenant improvements at no additional cost to the State, and (2) no cancellation during the first 5-years of the

lease term except for cause and/or funding and 180 days notice thereafter.

SSC Report:

11-19-02. Referred to Sub-committee for consent agenda.

SC Action:

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APPROVED BY:

C. Warren Neel, Ph.D., Commissioner Department of Finance and Administration